



BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Re Application of: D. Kronk

Serial No: 09/506,676 : Examiner: M. Y. Won

Filed: February 17, 2000 : Group Art Unit: 2155

For: SYSTEM AND METHOD FOR CONTROLLING  
ENVIRONMENT MAINTENANCE EQUIPMENT

**MAIL STOP APPEAL BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**APPEAL BRIEF**

Dear Sir or Madam,

This is an Appeal Brief filed in response to a Notice of Appeal submitted on 25 November 2005.

**I. REAL PARTY IN INTEREST**

The real party in interest in this appeal is Flowtronex PSI, Inc, a corporation organized under the laws of the State of Nevada, and having an office located in Dallas, Texas.

**II. RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences.

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**III. STATUS OF CLAIMS**

Claims 1-20 were cancelled. Claims 21-31 are pending and stand rejected.

**IV. STATUS OF AMENDMENTS**

The last response submitted by Applicant was mailed December 8, 2004, which was entered.

**V. SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 21 recites a system for controlling a plurality of outdoor environmental maintenance equipment like a weather station 46, a pump station 68 or an irrigation system 74 that has different user interfaces based on an open client-server architecture for golf courses, ski resorts, other outdoor recreational areas or for any application involving managing of an outdoor environment. See page 3, lines 7-9.

The system comprises client or user interfaces 12, 16, 32, 52, 60; client or user interface messaging controls 14, 20, 34, 40, 56, 62; interface control servers 24, 44, 66, 72; and interface control server messaging controls 22, 42, 64, 70.

The client or user interfaces 16, 36, 52 provide messages to control the plurality of outdoor environmental maintenance equipment 46, 68, 74, and receive responses containing information about the plurality of outdoor environmental maintenance equipment 46, 68, 74. See page 7, lines 14-17; and Fig. 1.

The client or user interface messaging controls 20, 40, 56 are each associated with a respective one of the client or user interfaces 12, 16, 32, 52, 60. See page 8, lines 8-11; Fig. 1.

The interface control servers 24, 46, 66, 72 are each for controlling a respective one of the plurality of outdoor environmental maintenance equipment 46, 68, 74. See page 7, lines 4-7; Fig. 1.

The interface control server messaging controls 22, 42, 64, 70 are each associated with a respective one of the interface control servers 24, 46, 66, 72. See page 8, lines 8-11; Fig. 1.

In operation, the interface control server messaging controls 22, 42, 70 and the client or user interface messaging controls 20, 40, 56 exchange messages and communicating with each other using a common messaging control protocol. See page 3, lines 18-19.

The present invention uniquely features each messaging control 14, 20, 34, 40, 56, 62; 22, 42, 64, 70 being usable for communication with at least two or more messaging controls 14, 20, 34, 40, 56, 62; 22, 42, 64, 70 in the system, so each client or user interface can provide messages for controlling each of the plurality of outdoor environmental maintenance equipment 46, 68, 74, and also can receive responses containing information about each of the plurality of outdoor environmental maintenance equipment 46, 68, 74. See page 8, lines 15-16; and Fig. 1.

The messaging controls include both the client or user interface messaging control like element 14, 20, 34, 40, 56, 62 in Figure 1 of the present invention that are associated with the client or user interfaces 12, 16, 32, 36, 52, 60, as well as the interface control server messaging controls like elements 22, 42, 64, 70 associated with a respective one of the interface control servers like elements 24, 44, 66, 72.

Independent claim 29 recites a method for carrying out the system recited in claim 21. The discussion of the steps of claim 29 in the specification is found at the same location as the discussion provided for the elements of claim 21.

The dependent claims 22-28 and 30-31 recite other features of the claimed system.

#### **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 21-26 and 29-31 are rejected under 35 U.S.C. § 102(e) as being anticipated by Smith et al. (U.S. Patent No. 6,192,828). Claims 27 and 28 are rejected under 35 U.S.C. § 103(a) as unpatentable over Smith in view of Gray et al. (U.S. Patent No. 5,568,402).

**VII. ARGUMENT**Claim 21

The anticipation rejection is respectfully traversed because Smith does not teach or suggest a system for controlling a plurality of outdoor environmental maintenance equipment having different user interfaces based on an open client-server architecture for golf courses, ski resorts, other outdoor recreational areas or for any application involving and managing of an outdoor environment, wherein each messaging control (14, 20, 34, 40, 56, 62; 22, 42, 64, 70) is usable for communication with at least two or more messaging controls (14, 20, 34, 40, 56, 62; 22, 42, 64, 70) in the system, so each client or user interface can provide messages for controlling each of the plurality of outdoor environmental maintenance equipment, and also can receive responses containing information about each of the plurality of outdoor environmental maintenance equipment, as claimed herein.

In the claimed system, the messaging controls include both the client or user interface messaging control like element 14, 20, 34, 40, 56, 62 in Figure 1 of the present invention that are associated with the client or user interfaces 12, 16, 32, 36, 52, 60, as well as the interface control server messaging controls like elements 22, 42, 64, 70 associated with a

respective one of the interface control servers like elements 24, 44, 66, 72.

In contrast to the claimed invention, Smith discloses two basic systems for building automation. The first is a centralized system that is shown in Figures 1-95. The second is a decentralized system that is shown in Figures 96-99. It is respectfully submitted that the reasoning in paragraph 3 of the Office Action is taking parts of the first system and combining them with parts of the second system in order to end up with the claimed invention.

However, it is respectfully submitted that Smith's centralized system 11 shown in Figures 1-95 is very different from the claimed invention. For example, in Figures 2(a) to (d), Smith's centralized system 11 includes numerous subsystems 41, 42, 45, 47, 49, 51, 53 all coupled to a centralized intelligent home controller 13 via different protocols, i.e. serial, parallel, infrared, voice, relay, digital analog, DTMF. It is respectfully submitted that Smith does not suggest that its centralized system 11 has multiple client or user interfaces that each provide messages for controlling each of the outdoor environmental maintenance equipment, and also receive responses containing information about each of the outdoor environmental maintenance equipment, as now claimed. Only Smith's centralized

intelligent home controller 13 can control all of the numerous subsystems 41, 42, 45, 47, 49, 51, 53.

Moreover, Smith's decentralized system shown in part in Figures 96-99 is also very different from the claimed invention. For example, Figure 96 shows an alternative embodiment of the building automation system having a centralized controller 2001 coupled via a CEBUS protocol communications channel to serial adapters 2015, 2017, 2019, 2021 to equipment such as HVAC 2009, security 2011, HVAC camera 2013 or weather 2014, and coupled via an Ionworks protocol communications channel 2005 to a serial adapter 2023 to a sprinkler 2007. Figure 97 shows the serial adapter 2015 in greater detail having a CEBUS program 2051, serial driver 2071 and building system program 2079 for coupling the communications bus 2003 (see also Figure 96) to end devices 2081 via an end device protocol (i.e. the respective device protocol). However, it is respectfully submitted that Smith does not suggest that its decentralized system in Figures 96-99 has multiple client or user interfaces that each provide messages for controlling each of the outdoor environmental maintenance equipment, and also receive responses containing information about each of the outdoor environmental maintenance equipment, as now claimed. For example, Smith's serial adapters 2015, 2017, 2019, 2021 cannot provide messages for controlling each of the HVAC 2009, security 2011, HVAC camera 2013 or

weather 2014, or receive responses containing information about each of the same.

Furthermore, Smith also does not anticipate the subject matter of claim 21 because Smith fails to teach or suggest a system for controlling a plurality of outdoor environmental maintenance equipment wherein each client or user interface can provide messages for controlling each of a plurality of outdoor maintenance equipment, and each interface can also receive responses containing information about each of the plurality of outdoor maintenance equipment.

For example, Smith's centralized system 11 shown in Figures 1-95 is very different from the claimed invention. It is respectfully submitted that Smith does not teach or suggest that its centralized system 11 has multiple client or user interfaces that each provide messages for controlling each of the outdoor environmental maintenance equipment, and also receive responses containing information about each of the outdoor environmental maintenance equipment, as applicant now claims.

The reasoning in paragraph 5 of the Office Action mailed 24 June 2005 states that "to assume that only Smith's centralized intelligent home controller 13 can control all of the numerous subsystems is an improper generalization of the referenced invention." However, it is respectfully submitted that the reasoning is misinterpreting the limitations of claim 21, and

fails to recognize that claim 21 has eliminated the central controller 13 of Smith. In the claimed invention, each messaging control can communicate with at least two other messaging controls, allows the subsystems of the present invention to communicate directly with each other, without the need for a central controller.

In contrast, Smith requires that all communication be routed through a central controller 13 in order for one subsystem device to communicate with a device on another subsystem. While Smith makes it possible to initiate any controllable operation or series of operations based on an input from any device, the device must still be attached to the central controller 13. See column 15, lines 17-20. It is respectfully submitted that a comparison of Figure 1 of the present invention with Figures 2(a) through 2(d) of Smith makes this difference very clear. Figure 1 of the present invention demonstrates that there is no need for a central controller, because all of the subsystems are capable of direct communication with each other. In contrast, Figures 2(a) through 2(d) of Smith require that each subsystem be connected to a central controller 13 in order for inter-subsystem communication. The controller 13 provides all routing for subsystem commands. See column 8, lines 1-11; column 9, lines 37-39. The controller 13 is required for any interaction

between user interface devices to occur. See column 15, lines 48-50.

Subsystem devices in Smith quire simply cannot receive information about each other without the central controller 13 routing information from one device to another. See Smith, column 16, lines 7-9 (where the central controller 13 provides real-time continuous updates to an unlimited number of user interfaces simultaneously). In addition, the amount of information each subsystem device can receive about other devices is limited in Smith by the devices used. Smith describes that standard telephones, keypads and hand-held remote controls have limited feedback, and RF and IR remotes provide no status feedback at all. See Smith, column 15, lines 36-47. In contrast, in the claimed system each of the client or user interfaces can receive responses information about each of the plurality of outdoor maintenance equipment because each messaging control is capable of communicating with at least two other messaging controls.

It is respectfully submitted that a prior art reference does not anticipate a claim unless the elements of the claim are arranged in the prior art reference as required by the claim. In re Bond, 15 USPQ2d 1566, 1567 (Fed. Cir. 1989); MPEP § 2131. The elements of claim 21 are not arranged in Smith as required by the claim, because Smith contains a central controller for

communicating between the subsystems of the building automation system.

The reasoning states in paragraph 5 of the Office Action mailed 24 June 2005 that Smith teaches that the centralized and decentralized implementation of the building automation system is interchangeable. However, it is respectfully submitted that Smith merely describes that "the invention may be implemented in either a centralized processing embodiment or a distributed processing embodiment." See column 2, lines 49-51 (emphasis added). While the implementation of each embodiment may be interchangeable, components from each embodiment are not interchangeable. **Moreover, there is clearly no teaching or suggestion in Smith that the centralized and decentralized systems can be implemented as a combination of each other.** To the contrary, one of ordinary skill in the art would appreciate that it is undesirable to combine each embodiment because the centralized embodiment has its own controller, and each subsystem in the distributed embodiment has its own controller. Therefore, superfluous controllers in the building automation system will exist if the embodiments were combined.

Smith does not teach or suggest that the distributed processing system shown in part in Figures 96-99 contains the limitations recited in claim 21. For example, Smith does not disclose that the distributed multiple client or user interfaces

can control each of the outdoor environmental maintenance equipment, and also receive responses containing information about each of the outdoor environmental maintenance equipment, as claimed. In particular, Smith's Figure 96 shows an alternative embodiment of the building automation system having a centralized controller 2001 coupled via a CEBUS protocol communications channel to serial adapters 2015, 2017, 2019, 2021 to equipment such as HVAC 2009, security 2011, HVAC camera 2013 or weather 2014, and coupled via an Ionworks protocol communications channel 2005 to a serial adapter 2023 to a sprinkler 2007. Figure 97 shows the serial adapter 2015 in greater detail having a CEBUS program 2051, serial driver 2071 and building system program 2079 for coupling the communications bus 2003 to end devices 2081 via an end device protocol (i.e. the respective device protocol). See also Fig. 96. For example, Smith's serial adapters 2015, 2017, 2019, 2021 cannot provide messages for controlling each of the HVAC 2009, security 2011, HVAC camera 2013 or weather 2014, or receive responses containing information about each of the same.

The distributed processing embodiment shown in part in Figures 96-99 of Smith clearly has multiple controllers, which merely distribute the processing required to implement the automation system throughout the building. See column 44, lines 47-48; column 62, lines 46-48. The subsystems can still only

communicate with each other through the controllers. See column 44, lines 50-51. There is no direct communication between the end devices, as claim 21. The distributed processing embodiment of Smith essentially has multiple centralized embodiments distributed throughout a building, with communication occurring between each one. It is respectfully submitted that, since the centralized embodiment does not anticipate the subject matter of claim 21 for the reasons discussed above, a system that teaches multiple embodiments of the same thing also fails to anticipate the subject matter of claim 21.

Dependent Claims 22-28

Dependent claims 22-26 depend directly or indirectly from claim 21, contain all the limitations therein, and are not anticipated by Smith for the reasons discussed above in relation to claim 29.

In addition, dependent claims 27-28 depend directly or indirectly from claim 21, contain all the limitations therein, are not unpatentable over Smith in view of Gray. In effect, Gray does not make up for the deficiency of Smith regarding any of the points of distinction set forth above.

Claim 29

Independent claim 29 is a method for controlling a plurality of outdoor environmental maintenance equipment based on an open client-server architecture for golf courses, ski resorts, other outdoor recreational areas or any other application involving managing of an outdoor environment. Claim 29 recites a method for carrying out the system of claim 21, and is rejected for the same reasons as claim 21. It is respectfully submitted that the subject matter of claim 29 is not anticipated by Smith for all the same reasons discussed above in relation to claim 21.

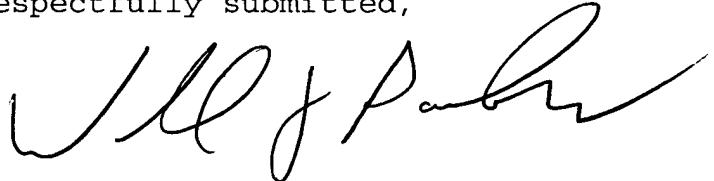
Dependent Claims 30-31

Dependent claims 30-31 depend directly or indirectly from claim 29, contain all the limitations therein, and are not anticipated by Smith for the reasons discussed above in relation to claim 29.

Conclusion

In view of the above arguments, applicant respectfully submits that the reasoning of the rejection of these claims is in error, and should be reversed.

Respectfully submitted,



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/dap

April 25, 2006

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**CLAIMS APPENDIX**

Claims 1-20 (Cancelled).

21. (Previously Presented) A system for controlling a plurality of outdoor environmental maintenance equipment having different user interfaces based on an open client-server architecture for golf courses, ski resorts, other outdoor recreational areas or for any application involving and managing of an outdoor environment, comprising:

client or user interfaces for providing messages for controlling the plurality of outdoor environmental maintenance equipment, and receiving responses containing information about the plurality of outdoor environmental maintenance equipment;

client or user interface messaging controls, each associated with a respective one of the client or user interfaces;

interface control servers, each for controlling a respective one of the plurality of outdoor environmental maintenance equipment; and

interface control server messaging controls, each associated with a respective one of the interface control servers, the interface control server messaging controls and the client or user interface messaging controls exchanging messages

and communicating with each other using a common messaging control protocol for controlling the plurality of outdoor environmental maintenance equipment, each messaging control being usable for communication with at least two or more messaging controls in the system so that each client or user interface can provide messages for controlling each of the plurality of outdoor environmental maintenance equipment, and also can receive responses containing information about each of the plurality of outdoor environmental maintenance equipment.

22. (Previously Presented) A system according to claim 21, wherein the common messaging control protocol is transmission control protocol/Internet protocol (TCP/IP).

23. (Previously Presented) A system according to claim 21, wherein the common messaging control protocol is text messaging.

24. (Previously Presented) A system according to claim 21, wherein each interface control servers communicate with a respective interface control server messaging control using interprocessing calls/events.

25. (Previously Presented) A system according to claim 21, wherein the at least one client user interface, the at least one

client or user interface messaging control, the interface control servers, interface control server messaging controls, or a combination thereof, form part of different domains including either a personal computer (PC), a local area network (LAN), the world wide web (WWW), or a combination thereof.

26. (Previously Presented) A system according to claim 21, wherein the plurality of outdoor environmental maintenance equipment includes an irrigation system, a pump station, a weather station or other environmental maintenance equipment.

27. (Previously Presented) A system according to claim 21, wherein the client or user interface includes a system control and data acquisition (SCADA) having a messaging control arranged therein.

28. (Previously Presented) A system according to claim 21, wherein the client or user interface includes one or more site managers, each having a messaging control arranged therein.

29. (Previously Presented) A method for controlling a plurality of outdoor environmental maintenance equipment based on an open client-server architecture for golf courses, ski resorts, other outdoor recreational areas or for any application involving and managing of an outdoor environment, comprising the steps of:

providing with client or user interfaces messages for controlling the plurality of outdoor environmental maintenance equipment, and receiving responses containing information about the plurality of outdoor environmental maintenance equipment;

associating each interface with a respective client or user interface messaging control;

controlling with interface control servers the plurality of outdoor environmental maintenance equipment;

associating each interface control server with a respective interface control server messaging control; and

exchanging messages and communications between the interface control server messaging controls and client or user interface messaging control messages using a common messaging control protocol for controlling the plurality of outdoor environmental maintenance equipment, each messaging control being usable for communication with at least two or more other messaging controls in the system so that each client or user interface can provide messages for controlling each of the

plurality of outdoor environmental maintenance equipment, and also can receive responses containing information about each of the plurality of outdoor environmental maintenance equipment.

30. (Previously Presented) A system according to claim 29, wherein the common messaging control protocol is transmission control protocol/Internet protocol (TCP/IP).

31. (Previously Presented) A system according to claim 29, wherein the common messaging control protocol is text messaging.

**EVIDENCE APPENDIX**

None.

**RELATED PROCEEDINGS APPENDIX**

None.



Practitioner's Docket No. 911-3.4

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: D. KRONK

Application No.: 09/1506,676 Group No.: 2155

Filed: 17 FEB. 2000 Examiner: M. Won

For: SYSTEM AND METHOD

Mail Stop Appeal Briefs & ~~and~~; Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF  
(PATENT APPLICATION—37 C.F.R. § 1.192)**

**NOTE:** The phrase "the date on which" an "appeal was taken" in 35 U.S.C. 154(b)(1)(A)(ii) (which provides an adjustment of patent term if there is a delay on the part of the Office to respond within 4 months after an "appeal was taken") means the date on which an appeal brief under § 1.192 (and not a notice of appeal) was filed. Compliance with § 1.192 requires that: 1. the appeal brief fee (§ 1.17(c)) be paid (§ 1.192(a)); and 2. the appeal brief complies with § 1.192(c)(1) through (c)(9). See Notice of September 18, 2000, 65 Fed. Reg. 56366, 56385-56387 (Comment 38).

1. Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on 25 NOV. 05

**NOTE:** "Appellant must, within two months from the date of the notice of appeal under § 1.191 or within the time allowed for reply to the action from which the appeal was taken, if such time is later, file a brief in triplicate. . . " 37 C.F.R. § 1.192(a) (emphasis added).

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

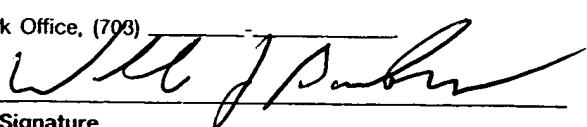
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**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

WILLIAM J. BARBER

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## 2. STATUS OF APPLICANT

This application is on behalf of

- other than a small entity.
- a small entity.

A statement:

- is attached.
- was already filed.

## 3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. § 1.17(c), the fee for filing the Appeal Brief is:

<input type="checkbox"/> small entity	\$ 170.00
<input checked="" type="checkbox"/> other than a small entity	<del>\$ 340.00</del>

Appeal Brief fee due \$ \_\_\_\_\_

## 4. EXTENSION OF TERM

NOTE: 37 C.F.R. § 1.704(b) ". . .an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

NOTE: The time periods set forth in 37 C.F.R. § 1.192(a) are subject to the provision of § 1.136 for patent applications. 37 C.F.R. § 1.191(d). See also Notice of November 5, 1985 (1060 O.G. 27).

NOTE: As the two-month period set in § 1.192(a) for filing an appeal brief is not subject to the six-month maximum period specified in 35 U.S.C. § 133, the period for filing an appeal brief may be extended up to seven months. 62 Fed. Reg. 53,131, at 53,156; 1203 O.G. 63, at 84 (Oct. 10, 1997).

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

(a)  Applicant petitions for an extension of time under 37 C.F.R. § 1.136  
(fees: 37 C.F.R. § 1.17(a)(1)-(5)) for the total number of months checked below:

<u>Extension</u> <u>(months)</u>	<u>Fee for other than</u> <u>small entity</u>	<u>Fee for</u> <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 430.00	215.00
<input checked="" type="checkbox"/> three months	<i>1020</i> \$ 980.00	490.00
<input type="checkbox"/> four months	\$ 1530.00	765.00
<input type="checkbox"/> five months	\$ 2080.00	1040.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### 5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee \$ 500

Extension fee (if any) \$ 1020

TOTAL FEE DUE \$ 1520.00

#### 6. FEE PAYMENT

Attached is a  check  money order in the amount of \$ \_\_\_\_\_

Authorization is hereby made to charge the amount of \$ \_\_\_\_\_

to Deposit Account No. \_\_\_\_\_

to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should not be included on this form as it may become public.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

#### 7. FEE DEFICIENCY

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to change the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

If any additional extension and/or fee is required,

AND/OR

If any additional fee for claims is required, charge:

Deposit Account No. 23-0442

Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should not be included on this form as it may become public.

Date: 25 APRIL '06

Reg. No.: 32,720

Customer No.: 4955



SIGNATURE OF PRACTITIONER

William J. Barber

*(type or print name of practitioner)*

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*(Transmittal of Appeal Brief [9-6.1]—page 4 of 4)*